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shall be deemed in compliance with the guidelines and requirements.

(c) Each standard-setting agency is encouraged to issue standards which follow the format of these guidelines and requirements. However, standards which differ in format from these guidelines and requirements but are otherwise consistent with the guidelines and requirements shall be deemed in compliance with these guidelines and requirements.

§ 1190.5 Guidelines: Other uses.

These minimum guidelines and requirements and those standards published by the four standard-setting agencies under the Architectural Barriers Act of 1968, as amended, may be used by other governmental and non-governmental entities, along with other sources, to develop their own standards.

§ 1190.6 Interpretation of guidelines.

(a) These guidelines and requirements shall be liberally construed to carry out the purposes and provisions of the Architectural Barriers Act and section 502 of the Rehabilitation Act.

(b) Words importing the singular number may extend and be applied to the plural and vice versa. However, unless otherwise specified in the guidelines and requirements, each element or space of a particular building or facility shall comply with the guidelines and requirements.

(c) Use of the imperative mood, *e.g.*, “provide,” means the provision is mandatory. This form is being used to avoid wordiness and monotony but means the same as if the word “shall” had been included.

(d) The provisions in the minimum guidelines and requirements are based upon adult dimensions and anthropometrics.

(e) Dimensions that are not marked “minimum” or “maximum” are absolute, unless otherwise indicated in the text or captions. All dimensions are subject to conventional building tolerances for field conditions.

§ 1190.7 Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of these guidelines and requirements is declared

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invalid for any reason, the remaining portions of these guidelines and requirements that are severable from the invalid part shall remain in full force and effect. If a part of these guidelines and requirements is invalid in one or more of its applications, the part shall remain in effect in all valid applications that are severable from the invalid applications.

[47 FR 33864, Aug. 4, 1982. Redesignated at 54 FR 5444, Feb. 3, 1989]

Subpart B—Scope

§ 1190.30 Scope. [Reserved]

§ 1190.31 Accessible buildings and facilities: New construction.

Except as otherwise provided in this part, all new construction of buildings and facilities shall comply with the minimum requirements set forth below. The citations beginning with “ANSI” in the provisions which follow refer to the sections of the American National Standard, ANSI A117.1–1986, “Providing Accessibility and Usability for Physically Handicapped People” by the American National Standards Institute, Inc. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from the American National Standards Institute, Inc., 1430 Broadway, New York, NY 10018. Copies may be inspected at the office of the U.S. Architectural and Transportation Barriers Compliance Board, 1111 18th Street, NW., Suite 501, Washington, DC or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(a) Accessible route. At least one accessible route shall comply with ANSI A117.1–1986, section 4.3, Accessible Routes (Incorporated by reference, see this paragraph (a).)

(1) Required accessible route(s) shall connect an accessible building entrance with:

(i) Transportation facilities located within the property line of a given site, including passenger loading zones, public transportation facilities, taxi stands, and parking;

(ii) Public streets and sidewalks;

(iii) Other accessible buildings, facilities, elements, and spaces that are on the same site; and

(iv) All accessible spaces, rooms, and elements within the building or facility.

(2) Where fire code provisions require more than one means of egress from any space or room, then more than one accessible means of egress complying with ANSI A117.1-1986, section 4.3.10 shall be provided for handicapped people and shall be arranged so as to be readily accessible from all accessible rooms and spaces (Incorporated by reference, see § 1190.31(a).)

(b) *Parking and passenger loading zones.* (1) If any parking is provided, for employees or visitors, or both, each such parking area shall comply with ANSI A117.1-1986 section 4.6 Parking Spaces and Passenger Loading Zones (Incorporated by reference, see paragraph (a) of this section), and the following table:

Total parking in lot	Required minimum number of accessible spaces
1 to 25	1.
26 to 50	2.
51 to 75	3.
76 to 100	4.
101 to 150	5.
151 to 200	6.
201 to 300	7.
301 to 400	8.
401 to 500	9.
501 to 1,000	2 pct of total.
Over 1,000	20 plus 1 for each 100 over 1,000.

Passenger loading zones shall provide an access aisle at least 60 in (1525 mm) wide and 20 ft (60 mm) long adjacent and parallel to the vehicle pull-up space. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with ANSI A117.1-1986, section 4.7 shall be provided. A minimum vertical clearance of 114 in (3.45 m) shall be provided at accessible passenger loading zones and along vehicle access routes to such areas from site entrances.

(i) *Exception:* The total number of accessible parking spaces may be distributed among parking lots, if greater accessibility is achieved.

(ii) *Exception:* This paragraph does not apply to parking provided for official government vehicles owned or leased by the government and used exclusively for government purposes.

Parking spaces for side lift vans are accessible parking spaces and may be used to meet the requirements of this paragraph.

(2) If passenger loading zones are provided, at least one passenger loading zone shall comply with ANSI A117.1-1986 section 4.6 Parking Spaces and Passenger Loading Zones (Incorporated by reference, see paragraph (a) of this section).

(c) *Ramps and curb ramps.* If there is an abrupt level or grade change, if the slope is greater than 1:20, and if no other means of accessible vertical access is provided, a ramp or curb ramp shall be provided. If a ramp or curb ramp is provided, it shall comply with ANSI A117.1-1986, section 4.7 Curb Ramps or 4.8 Ramps, as appropriate (Incorporated by reference, see paragraph (a) of this section.).

(d) *Stairs.* Except as provided in paragraph (f)(1) of this section, stairs connecting levels that are not connected by an elevator shall comply with ANSI A117.1-1986, section 4.9, Stairs. (Incorporated by reference, see paragraph (a) of this section.)

(e) *Handrails.* Handrails shall be provided at each ramp and staircase as required in ANSI A117.1-1986, sections 4.8 Ramps and 4.9 Stairs, respectively. (Incorporated by reference, see paragraph (a) of this section.)

(f) *Elevators.* One passenger elevator complying with ANSI A117.1-1986, section 4.10, Elevators (incorporated by reference, see paragraph (a) of this section) shall serve each level in all multi-story buildings and facilities. If more than one elevator is provided, each elevator shall comply with ANSI A117.1-1986, section 4.10, Elevators (incorporated by reference, see paragraph (a) of this section). All elevator control buttons shall be at least ¾ in (19mm) in their smallest dimension. They shall be raised or flush.

(1) *Exception.* Elevator pits, elevator penthouses, mechanical rooms, piping, or equipment catwalks are excepted from this requirement.

(2) *Exception.* Ramps or platform lifts complying with ANSI A117.1-1986, section 4.8 Ramps and ANSI A117.1-1986, section 4.11 Platform Lifts (incorporated by reference, see paragraph (a)

of this section), respectively, may be used in lieu of an elevator.

(g) *Platform lifts.* If the slope is greater than 1:20, and if no other means of accessible vertical access is provided, a platform lift may be provided if there is an abrupt level or grade change. If a platform lift is provided, it shall comply with ANSI A117.1-1986, section 4.11 Platform Lifts (incorporation by reference, see paragraph (a) of this section), and should facilitate unassisted entry and exit from the lift.

(h) *Entrances.* At least one principal entrance at each grade floor level to a building or facility shall comply with ANSI A117.1-1986, section 4.14, Entrances (incorporated by reference, see paragraph (a) of this section). When a building or facility has entrances which normally serve any of the following functions: transportation facilities, passenger loading zones, accessible parking facilities, taxi stands, public streets and sidewalks, accessible interior vertical access, then at least one of the entrances serving each such function shall comply with ANSI A117.1-1986, section 4.14, Entrances (incorporated by reference, see paragraph (a) of this section). Because entrances also serve as exits, particularly in cases of emergency, the proximity of such accessible entrances and exits to all parts of the building is essential. It is preferable that all or most entrances and exits be accessible. One entrance may serve more than one function.

(i) *Doors.* (1) At each accessible entrance to a building or facility, at least one door shall comply with ANSI A117.1-1986, section 4.13, Doors (incorporated by reference, see paragraph (a) of this section).

(2) Within a building or facility, at least one door at each accessible entrance to the accessible space shall comply with ANSI A117.1-1986, section 4.13, Doors (incorporated by reference, see paragraph (a) of this section).

(3) Each door required by ANSI A117.1-1986, section 4.3.10, Egress (incorporated by reference, see paragraph (a) of this section), shall comply with ANSI A117.1-1986, section 4.13, Doors (incorporated by reference, see paragraph (a) of this section).

(4) Each door that is an element of an accessible route shall comply with

ANSI A117.1-1986, section 4.13, Doors (incorporated by reference, see paragraph (a) of this section).

(j) *Windows.* If operable windows are provided, they shall comply with ANSI A117.1-1986, section 4.12 Windows. (Incorporated by reference, see paragraph (a) of this section.)"

(k) *Toilet and bathing facilities.* If toilet and bathing facilities are provided, then each public and common use toilet room shall comply with ANSI A117.1-1986, section 4.22, Toilet Rooms, Bathrooms, Bathing Facilities and Shower Rooms (incorporated by reference, see paragraph (a) of this section). Other toilet rooms shall be adaptable. If bathing facilities are provided, then each public and common use bathing facility shall comply with ANSI A117.1-1986, section 4.22. In each such facility where any of the fixtures and accessories specified in ANSI A117.1-1986, section 4.16, Water Closets; ANSI A117.1-1986, section 4.17, Toilet Stalls; ANSI A117.1-1986, section 4.18, Urinals; ANSI A117.1-1986, section 4.19, Lavatories, Sinks and Mirrors; ANSI A117.1-1986, section 4.20, Bathtubs; and ANSI A117.1-1986, section 4.21, Shower Stalls, are provided, at least one accessible fixture and accessory of each type provided shall comply with the provisions in the subsection applicable to that fixture or accessory. The size and arrangement of toilet stalls shall comply with ANSI Fig. 30(a). Toilet stalls with a minimum depth of 56 in (1420 mm) (see ANSI Fig. 30(a)) shall have wall-mounted closets. If the depth of toilet stalls is increased at least 3 in (75 mm), then a floor mounted water closet may be used. Arrangements shown for toilet stalls may be reversed to allow either a left-hand or right-hand approach. Installation of a fixed shower head may be permitted in lieu of an adjustable height or hand-held shower head in unmonitored facilities where vandalism is a concern. Curbs in shower stalls that are 36 in by 36 in (915 mm by 915 mm) shall have a maximum height of ½ in (13 mm). Bathrooms in dwelling units required to be accessible shall comply with ANSI A117.1-1986, section 4.32.4, Bathrooms. For special use situations, refer to Subpart E, Special Building or Facility Types or Elements.

(l) *Drinking fountains and water coolers.* If drinking fountains or water coolers are provided, approximately 50% of those provided on each floor shall comply with ANSI A117.1-1986, section 4.15, Drinking Fountains and Water Coolers, (incorporated by reference, see paragraph (a) of this section), and shall be dispersed throughout the floor. If only one drinking fountain or water cooler is provided on any floor, it shall comply with ANSI A117.1-1986, section 4.15. It is preferred that if only one drinking fountain or water cooler is provided on any floor, then it should have two levels with the lower level complying with ANSI A117.1-1986, section 4.15.

(m) *Controls and operating mechanisms.* If controls and operating mechanisms are provided in accessible spaces, along accessible routes or as parts of accessible elements, each shall comply with ANSI A117.1-1986, section 4.25, Controls and Operating Mechanisms. (Incorporated by reference, see paragraph (a) of this section.)

(n) *Alarms.* If alarm systems are provided, each shall comply with ANSI A117.1-1986, section 4.26, Alarms (incorporated by reference, see paragraph (a) of this section). In facilities with sleeping accommodations, the sleeping accommodations required to be accessible shall have an alarm system complying with ANSI A117.1-1986, section 4.26.4, Auxiliary Alarms. Emergency warning systems in health care facilities may be modified to suit standard health care alarm design practice.

(o) *Detectable warnings.* Detectable warnings complying with ANSI A117.1-1986, section 4.27.3, Tactile Warnings on Doors to Hazardous Areas (incorporated by reference, see paragraph (a) of this section), shall be provided on the hardware of all doors leading to hazardous areas. Such warnings shall not be used at emergency exit doors. Detectable warnings are not required at locations other than doors to hazardous areas by this part. If detectable warnings are provided, the specifications at ANSI A117.1-1986, section 4.27 may be used as guidance.

NOTE: The ATBCB has funded research in the area of detectable tactile surface treatments. The research findings were inconclusive and, therefore, recommended no mandatory requirements at this time. Further in-

formation is being developed through additional research on detectable materials and fact-finding on current applications, particularly on transit platforms. Technical assistance materials including information about additional detectable cues (sound and resiliency) not discussed in ANSI are available from the ATBCB, 1111 18th Street, NW, Suite 501, Washington, DC 20036, (202) 653-7834 (voice or TDD).

(p) *Signage.* Signage shall comply with ANSI A117.1-1986, section 4.28, Signage (incorporated by reference, see paragraph (a) of this section). Permanent signage that identifies rooms and spaces shall also comply with ANSI A117.1-1986, section 4.28.4. Exception: The provisions of ANSI A117.1-1986, section 4.28.4 are not mandatory for temporary information on room and space signage, such as current occupant's name, provided the permanent room or space identification complies with ANSI A117.1-1986, section 4.28.4.

(q) *Telephones.* (1) If public telephones are provided, then accessible public telephones shall comply with ANSI A117.1-1986, section 4.29, Telephones (incorporated by reference, see paragraph (a) of this section), and the following table:

Number of public telephones provided on each floor	Number of telephones required to be accessible ¹
One or more single unit installations.	One per floor.
One bank ²	One per floor.
Two or more banks ²	One per bank. Accessible unit may be installed as a single unit in proximity (either visible or with signage) to bank. At least one public telephone per floor shall meet the requirements for a forward reach telephone. ³

¹ Additional public telephones may be installed at any height; however, the installation of accessible telephones is strongly recommended. Unless otherwise specified, accessible telephones may be either forward reach or side reach telephones.

² A bank consists of two or more adjacent public telephones usually installed as a unit.

³ Exception for exterior installations only: If dial-tone-first service is not available, then a side reach telephone may be installed instead of the required forward reach telephone (i.e., one telephone in proximity to each bank shall meet the requirements of ANSI A117.1-1986, section 4.29, Telephones (incorporated by reference, see paragraph (a) of this section)).

(2) At least one of the public telephones complying with ANSI A117.1-1986, section 4.29, Telephones (incorporated by reference, see paragraph (a) of this section), shall be equipped with a volume control. The installation of

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additional volume controls is encouraged and these may be installed on any public telephone provided.

(3) Signage. [Reserved]

(r) *Seating, tables, and work surfaces.* If fixed seating, tables, and work surfaces are provided, at least 5 percent but always at least one of each element shall comply with ANSI A117.1–1986, section 4.30, Seating, Tables and Work Surfaces. (Incorporated by reference, see paragraph (a) of this section.)

(s) *Assembly areas, conference, or meeting rooms.* (1) If assembly areas are provided, accessible viewing positions shall comply with ANSI A117.1–1986, section 4.31, Auditorium and Assembly Areas (incorporated by reference, see paragraph (a) of this section), and the following table:

Capacity of assembly area	Number of viewing positions
50 to 75	3.
76 to 100	4.
101 to 150	5.
151 to 200	6.
201 to 300	7.
301 to 400	8.
401 to 500	9.
501 to 1,000	2 pct of total.
Over 1,000	20 plus 1 for each 100 over 1,000.

Accessible viewing positions may be clustered in bleachers, balconies, and other areas that have sight lines requiring slopes greater than 5 percent or to permit equivalent accessible viewing positions to be located on levels having accessible egress.

(2) Assembly areas with audio-amplification systems shall have a listening system complying with ANSI A117.1–1986, section 4.31, to assist a reasonable number of people but no fewer than two, with severe hearing loss. For assembly areas without amplification systems and for spaces used primarily as meeting and conference rooms, a permanently installed or portable listening system shall be provided. This requirement may be satisfied by use of a portable system that requires little or no installation. If portable systems are used for conference and meeting rooms, the system may serve more than one room.

(3) If performing areas are provided, accessible routes shall comply with ANSI A117.1–1986, section 4.3, Accessible Routes, to performing areas, in-

cluding but not limited to stages, arena floors, dressing rooms, locker rooms, and other rooms and spaces required for use of the assembly area. (ANSI 4.33.5)

(i) *Exception.* In alteration work where it is structurally impracticable to alter all performing areas to be on an accessible route, at least one of each type shall be made accessible. (ANSI 4.33.6* and 4.33.7*)

(ii) [Reserved]

(t) *Storage.* If storage facilities such as cabinets, shelves, closets and drawers are provided in accessible spaces for occupant use, at least one storage facility of each type provided shall comply with ANSI A117.1–1986, section 4.23, Storage. (Incorporated by reference, see paragraph (a) of this section.) Additional storage may be provided outside of the dimensions provided in ANSI A117.1–1986, section 4.23, Storage. (Incorporated by reference, see paragraph (a) of this section.)

(u) *Housing.* Accessible housing shall:

(1) Comply with the requirements of this section as it applies to public use and common use areas and areas where handicapped persons may be employed, except as follows:

(i) *Elevators:* Where provided, elevators shall comply with ANSI A117.1–1986, section 4.10 (incorporated by reference, see paragraph (a) of this section). All elevator control buttons shall be at least $\frac{3}{4}$ in (19 mm) in their smallest dimension. They shall be raised or flush. Elevators or other accessible means of vertical movement are not required in residential facilities when:

(A) No accessible dwelling units are located above or below the accessible grade level; and

(B) At least one of each type of common area and amenity provided for use of residents and visitors is available at the accessible grade level.

(ii) *Entrances:* Entrances complying with ANSI 4.14 shall be provided as necessary to achieve access to and egress from buildings and facilities. EXCEPTION: In projects consisting of one-to-four family dwellings where accessible entrances would be extraordinarily costly due to site conditions or local code restrictions, accessible entrances

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are required only to those buildings containing accessible dwelling units.

(iii) Common Areas: At least one of each type of common area and amenity in each project shall be accessible and shall be located on an accessible route to any accessible dwelling unit.

(2) Provide dwelling units or sleeping accommodations complying with ANSI 4.32, Dwelling Units, in accordance with the following table:

Facilities	Application
Hotels, motels, boarding houses.	5 percent of the total units, or at least one, whichever is greater.
Multifamily housing (including apartment houses) Federally assisted.	5 percent of the total, or at least one unit, whichever is greater in multifamily housing projects.
Federally owned	5 percent of the total, or at least one unit, whichever is greater in multifamily housing projects.
Dormitories	5 percent of the total, or at least one unit whichever is greater.
One and two family dwelling Federally assisted, rental.	5 percent of the total, or at least one unit, whichever is greater, in multifamily housing projects.
Federally assisted homeownership.	To be determined by home buyer.
Federally owned	5 percent of the total, or at least one unit, whichever is greater in multifamily housing projects.

(v) *Health care facilities.* Accessible health care facilities shall:

(1) Comply with the requirements of this section, as it applies to public use and common use areas and areas where handicapped persons may be employed; and

(2) Provide patient rooms and patient toilet rooms complying with Part 6 of UFAS in accordance with the following table:

Facilities	Application
Long term care facilities (including skilled nursing facilities, intermediate care facilities, bed and care, and nursing homes).	At least 50 percent of patient toilets and bedrooms.
Outpatient facilities	All patient toilets and bedrooms.
Hospital:	
General purpose hospital	At least 10 percent of patient toilets and bedrooms.
Special purpose hospital (hospitals that treat conditions that affect mobility).	All patient toilets and bedrooms.

[47 FR 33864, Aug. 4, 1982. Redesignated and amended at 54 FR 5444, Feb. 3, 1989; 54 FR 34977, Aug. 23, 1989]

§ 1190.32 Accessible buildings and facilities: Additions.

Each addition to an existing building or facility shall comply with § 1190.31, New construction, except as follows:

(a) *Entrances.* If a new addition to a building or facility does not have an entrance, then at least one entrance in the existing building or facility shall comply with ANSI A117.1-1986, section 4.14, Entrances. (The citations beginning with "ANSI" in this section refer to the sections of the American National Standard, ANSI A117.1-1986, "Providing Accessibility and Usability for Physically Handicapped People" by the American National Standards Institute, Inc. which has been approved for incorporation by reference as set forth in § 1190.31(a).

(b) *Accessible route.* If the only accessible entrance to the addition is located in the existing building or facility, then at least one accessible route shall comply with ANSI A117.1-1986, section 4.3, Accessible Route (incorporated by reference, see § 1190.31(a)), and shall provide access through the existing building or facility to all rooms, elements, and spaces in the new addition.

(c) *Toilet and bathing facilities.* If there are no toilet rooms and bathing facilities in the addition and these facilities are provided in the existing building, then at least one toilet and bathing facility in the existing building shall comply with ANSI A117.1-1986, section 4.22, Toilet Rooms, Bathrooms, Bathing Facilities and Shower Rooms. (Incorporated by reference, see § 1190.31(a).).

(d) *Elements, spaces, and common areas.* If elements, spaces, or common areas are located in the existing building and they are not provided in the addition, consideration should be given to making those elements, spaces, and common areas accessible in the existing building.

(e) *Exception.* Mechanical rooms, storage areas, and other such minor additions which normally are not frequented by the public or employees of the facility are excepted from paragraphs (a), (b), (c) and (d) of this section.

[47 FR 33864, Aug. 4, 1982. Redesignated and amended at 54 FR 5444, 5446, Feb. 3, 1989]